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## II. AMENDMENT TO THE DRAWINGS.

1. The Examiner's Action contains a Notice of Draftsperson's Patent Drawing Review which identifies required corrections and which requires submission of corrected drawings of Figures 1 through 10. Accordingly corrected drawings comprising 8 sheets are submitted herewith, with this by fax filing, and separately original drawings are submitted by U.S.Mail.

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on December 20, 2006 by Floyd E. Ivey,  
Serial No. 10/688,488  
Floyd E. Ivey, USPTO 55552,

Application No. 10/688,488

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**IV. REMARKS****SPECIFICATION OBJECTIONS**

At page 2 of the Examiner's Action the examiner identifies objectionable informalities. Each informality has been corrected.

**CLAIM OBJECTIONS**

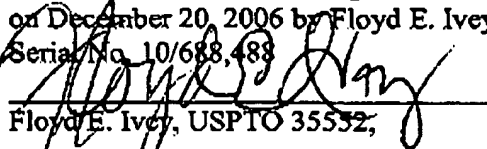
At page 2 of the Examiner's Action the Examiner states that the phrases "the axle" is unclear and should be restated as --the rear axle--. The correction has been made at lines 13 and 15.

**CLAIM REJECTIONS PER 35 USC 102****35 U.S.C. 102 Rejections**

A. The Examiner, at page 3-4, asserts that claim 1 is anticipated by Clark (5,713,590). Your applicant has amended claim 1. The structure of your applicant's invention is distinguished from the structure of Clark. Clark effects steering by circular clockwise or counterclockwise rotation of handle bar 18 rotatably mounted on propulsion member 13. (Clark at column 2, lines 3-6) Your applicants steering structure is via right and left rotation, orthogonal to the frame center leg (140), of the left swing arm (410) and the right swing arm (430) which are in cable communication with the left steering hub (850) and the right steering hub (810). There is no circular rotation in effecting steering control in your applicant's invention.

Clark does not disclose "orthogonal" movement of swing arms to effect steering.

A rejection for anticipation under section 102 requires that each and every limitation of the claimed invention be disclosed in a single prior art reference. (*In Re Paulsen*, 30 F.3d 1475, 1478-79, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994). Such is not

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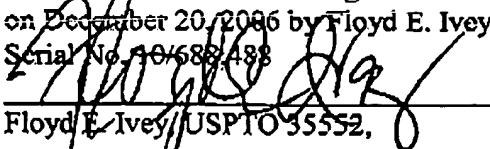
disclosed by Clark. The reference does not anticipate. The Examiner is respectfully requested to withdraw the rejection based on Clark. The Examiner is additionally referred to the following statement of pertinent law.

Your applicant respectfully requests the Examiner to withdraw the said rejection and to allow claim 1 as amended.

**Law regarding 35 U.S.C. 102.**

A rejection for anticipation under section 102 requires that each and every limitation of the claimed invention be disclosed in a single prior art reference. (*In Re Paulsen*, 30 F.3d 1475, 1478-79, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994); For a prior art reference to anticipate in terms of 35 U.S.C. S 102, every element of the claimed invention must be identically shown in a single reference. The elements must be arranged as in the claim under review. (*In Re Bond*, 910 F.2d 831, 832, 15 USPQ2d 1566, 1567 (Fed. Cir. 1990). Prior art anticipates an invention ... if a single prior art reference contains each and every element of the patent at issue, operating in the same fashion to perform the identical function as the patented product. "Thus, any degree of physical difference between the patented product and the prior art, NO MATTER HOW SLIGHT, defeats the claim of anticipation." (*American Permahedge, Inc. v. Barcana, Inc.*, 857 F. Supp. 308, 32 USPQ2d 1801, 1807-08 (S.D. N.Y. 1994); It is incumbent upon the examiner to identify wherein each and every facet of the claimed invention is disclosed in the applied reference. (*Ex Parte Levy*, 17 USPQ2d 1461, 1462 (Bd. Pat. App. & Int'f 1990)). Since the structures of Clark differ from that shown herein, the reference must be discounted as anticipating the present invention.

The applicant has demonstrated differences between features of the referenced prior art and the present invention as specified and claimed as amended. The applicant

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1 has presented features of the present invention which are not found within the claims of  
2 the reference patent. The applicant has presented law and argument to support the  
3 contention that the rejection of claim 1, under 35 U.S.C. 102(b) should be withdrawn and  
4 now respectfully requests the Examiner to withdraw the rejections.

5  
6 Respectfully submitted,

7  
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12 CERTIFICATE OF TRANSMISSION:

13 The undersigned hereby certifies that this correspondence is being facsimile transmitted  
14 to the USPTO, #571-273/8300, ART UNIT 3764 on December 20, 2006.

15 Signature

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28 on December 20, 2006 by Floyd E. Ivey,  
Serial No. 10/688,488

Floyd E. Ivey, USPTO 3555Z,

Application No. 10/688,488